

MEETING MINUTES, PLANNING COMMISSION, APRIL 24, 2006

Present: Carmen Madsen, Phil Tinkle, Keith Hardin, Jerry Ott, Tom McClain, Janet Eades, Marya Jo Butler, Shawna Koons-Davis, City Attorney; Ed Ferguson, Planning Director; Janice Nix, Recording Secretary

The meeting was called to order at 7:00 p.m. by Phil Tinkle, Vice-President.

PREVIOUS MINUTES

April 10th – Eades moved to approve the minutes as mailed, seconded by Hardin. Vote for **approval** was unanimous, 7-0. **Motion carried.**

OLD BUSINESS

Docket PC2006-016 – Memorandum was distributed by the Planning Director asking to amend the original approval to allow the development of the project to be done in two distinct phases.

Greg Ilko, Crossroad Engineers, came forward and was sworn.

Eades moved that Docket PC2006-016, site development plan, be amended to provide for two distinct phases, Phase I – Park 1401, and Phase II – Easy Street Condominiums, with the following conditions:

- 1) Phase I site development plans shall be subject to the fourteen recommendations from the Technical Review Committee (dated March 29, 2006), excepting therefrom recommendation no. 8.
- 2) Phase I shall include a temporary detention pond outside the floodway boundaries.
- 3) Plans for Phase I shall be subject to further review and approval by the City Engineer and the Planning Director.
- 4) Prior Plan Commission conditions shall remain in effect (i.e. Phase II shall be subject to further review by the Plan Commission at a future date based upon DNR and/or FEMA actions on the applications for amendment of the floodway boundary),

Seconded by Hardin. Vote for **approval** was unanimous, 7-0. **Motion carried.**

Docket 2004-031 - Village Commons – request for landscape waiver(s) – Donna Smithers, Northpointe Surveying, came forward and was sworn.

Asking to amend landscaping to allow smaller trees due to power lines within the area. Madsen moved to approve the waiver as requested, seconded by Eades. Vote for **approval** was unanimous, 7-0. **Motion carried.**

NEW BUSINESS

Docket PC2006-020 – Annexation Petition – Annexation of Park and Greenwood Community School Corp. land – located west of Averitt Rd., north of Cutsinger Rd., 102 acre lot (72 acres, Park land; 30 acres, School land), zoned R-2. Petitioner is Greenwood Plan Commission; owner is City of Greenwood and Greenwood Community Schools.

Ed Ferguson, Planning Director, was sworn. He explained the petition request. The 72 acres of City property will be annexed and zoned ROS – Recreational Open Space. The remaining 30 acres owned by the Greenwood School Corp. will remain R-2 Residential.

The City Attorney read the statutory criteria.

Madsen moved that the petition for annexation of 102 acres of land known as the City of Greenwood and Greenwood Community School Corporation Properties, generally located North of Cutsinger Road and West of Averitt Road, which is in the area of extended jurisdiction of the City of Greenwood, Johnson County, Indiana, as set forth therein, receive a **favorable** recommendation from this Commission to the Greenwood Common Council in the form presented, seconded by Ott. Vote for **approval** was unanimous, 7-0. **Motion carried.**

Madsen moved that the petition for a Zone Map Change for the rezoning of 72 acres of land known as the City of Greenwood Property, generally located North of Cutsinger Road and West of Averitt Road, and within the area of extended jurisdiction of the City of Greenwood, Johnson County, Indiana, from R-2 – Residential – Single Family use to ROS – Recreational Open Space use, as set forth therein, receive a **favorable** recommendation from this Commission to the Greenwood Common Council and that the same be certified to the Greenwood Common Council in the form presented, seconded by Eades. Vote for **approval** was unanimous, 7-0. **Motion carried.**

Docket PC2006-021 – Primary Plat – Cobblestone Parke – single family residential subdivision – located on south side of Demaree Rd., west of Honey Creek Rd. – 10 acre lot zoned R-2 – petitioner is Cobblestone Greenwood, LLC; owner is Lloyd Craig; engineer is Landwater Group.

Tinkle removed himself from consideration of this petition. Mrs. Eades took over the President's duties.

Sam Hodsen, Cobblestone Greenwood, LLC; and several members of the audience were sworn.

The proposed subdivision consists of 19 lots. Mr. Peoni from the City Engineering Dept. spoke regarding the drainage. He is concerned about the outlet point proposed by the plans. He feels there should be off-site easements obtained from adjoining property owners in order to install the drainage properly. Hodsen stated that they have approached the adjacent owners. The cost to obtain this easement is prohibitive to the petitioners. Hodsen maintains that the drainage plan submitted complies with the city ordinance. Marty Mann, drainage engineer, came forward and spoke to this matter. He observed this site during a heavy rain. He feels the drainage plan is sufficient for the area at this time.

Jim Harmon, 1275 Demaree Rd., Grwd, came forward. He is concerned about the drainage. Gene Perkins, 1521 Demaree Rd., Grwd (and also owner of undeveloped property immediately south of this property), came forward and was sworn. He stated he did meet with the petitioners on one occasion. He is also concerned about the drainage.

The petitioners came forward for rebuttal. They informed Mr. Harmon that there will be no additional drainage onto his property from this subdivision. Mr. Mann stated that the drainage improvements for this project will lower the development costs for Mr. Perkins and his partners (for land to the south). Mann also stated no water would be drained onto Mr. Harmon, it will go south to the detention pond.

Ott stated he would like to see easements in place and, therefore, he would like to delay this petition for 2 weeks. However, on the other hand, it may not be any farther along than it is now.

Ott moved to approve PC2006-021, subject to the recommendations of the Tech Committee being met, seconded by Hardin. Vote for **approval** was unanimous, 6-0. **Motion carried.**

Mr. Tinkle resumed his position with the Commission.

Docket PC2006-022 – Primary Plat – Villages at Grassy Creek, Sections 10 & 11 – zero lot line subdivision located on north side of Stop 18, west of Sheek Rd., 17.2 acre lot zoned R-3 – petitioner and owner is CP Morgan; engineer is Projects Plus.

Max Cooper, Projects Plus; Chad Pittman, CP Morgan; Bill Evans, Project engineer for CP Morgan; and several members of the audience were sworn.

Chad Pittman presented the plat for the Commission's review. Section 10 consists of 18 lots and Section 11 has 75 lots. Recommendations of the Tech Committee will be met.

The floor was opened for remonstrance. Rich Chandler, 1053 Fountain Grass Drive, Grwd, came forward. He is in opposition to the development of this site. His concerns included property value, traffic, effects on infrastructure, and possibility of increased foreclosures. Gary Brendel, 1028 Burning Bush Dr., Grwd, came forward next. He is concerned about adequate fire protection due to the amount of subdivisions in the immediate area, what responsibilities will the two subdivisions (Copperfield and Villages @ Grassy Creek) share regarding development and maintenance, and size of lots being proposed. Keith Hoffmire, 928 Woodgate Lane, Grwd, spoke. He is concerned about traffic, property tax base. Paul Peterson, 1141 Sugar Maple Dr., Grwd., spoke. He is against zero lot line zoning (lot size) because this property is zoned R-3. Bruce Armstrong, 1492 Cherry Blossom Ct., Grwd, came forward. He spoke to the granting of the waivers. He asked for denial of the waivers. Norman Black, 1451 Butternut Ln., Grwd, came forward. His concern is property value. Donald Henry, 1017 Fountain Grass Dr., Grwd, came forward. He is concerned about property values and traffic. He would like to see a tree line buffer planted between Copperfield and this project. Shana Tanner, 1054 Fountain Grass Dr., Grwd, came forward. Her concern is increase in traffic. Brent Curtis, 1036 Burning Bush Dr., Grwd, came forward. He is concerned about lot sizes proposed.

Chad Pittman came forward for rebuttal. He first addressed the street being connected to Copperfield. It is a requirement for traffic flow. A proposed amendment to the plat was given to the Commission for their review. Lots 613 and 614 as they exist would be eliminated (the new proposed plan has been renumbered and it includes lots numbered 613 and 614). This will allow for slightly wider lots along the eastern boundary of the plat.

Mr. Ferguson explained about the sideyard setback waiver and how provisions for granting this waiver were into the zoning ordinance from the beginning. It actual makes the homes farther apart in these areas.

Carolyn Henry, 1017 Fountain Grass Dr., Grwd, came forward. She is concerned about the proposed homeowners taking pride in their properties.

Commission members then asked questions. Ott asked if this was the first time a primary plat has been considered on this property. Ferguson replied, "Yes". This property was not included in the original primary plat for Villages @ Grassy Creek. The zoning was changed on this property in the late 90's.

Tinkle addressed some of the remonstrators comments and concerns.

Eades suggested CP Morgan meet with adjoining property owners. She also said she would like to see this petition continued until the next meeting. Hardin interjected that the project should be redesigned and he is concerned with the proposed density.

Eades moved to continue PC2006-022 until May 8, 2006, seconded by Hardin. Vote for **approval** of the **continuance** was unanimous, 7-0. **Motion carried.**

ANNOUNCEMENTS/REPORTS

Mr. Ferguson announced that Senior Planner Deborah Luzier has resigned and will be joining a private consulting firm.

Ott moved to authorize staff to move forward with amendments to the I-65 Overlay Ordinance and other amendments to hold a public hearing for adoption, seconded by Eades. Vote for **approval** was unanimous, 7-0. **Motion carried.** Ferguson explained that there will be three types of amendments – zoning ordinance, subdivision ordinance, and the comprehensive plan.

Training session May 22nd – A representative from the Brick Manufacturing Association will speak and the group will hear an update from HNTB concerning the Comprehensive Plan.

Eades moved to adjourn, seconded by Ott. Vote for **approval** was unanimous, 7-0. **Motion carried.** Meeting was adjourned at 8:50 p.m.

JANICE NIX
Recording Secretary

PHIL TINKLE
Vice-President